

CITY OF PALACIOS, TEXAS
REGULAR CITY COUNCIL MEETING

MINUTES

January 12, 2023

REGULAR CITY COUNCIL MEETING

A regular City Council meeting was held by the City Council of the City of Palacios on January 12, 2023, at 6:00 p.m., in Council Chambers located at 311 Henderson, Palacios, Texas 77465.

CALL TO ORDER

Mayor Jim Gardner called the City Council meeting to order at 6:00PM.

CERTIFICATION OF A QUORUM

Mayor Jim Gardner certified a quorum was present.

ATTENDANCE ROLL CALL

*Mayor, Jim Gardner, Present
Councilmember Place 6, Michael Dotson, Absent
Councilmember Place 5, Raylynn Samora, Present
Councilmember, Place 4, Troy Lewis, Present
Councilmember Place 3, Chip Woolf, Present
Councilmember, Place 2, Sharon Trainor, Present
Councilmember Place 1, Larry Glenn, Present*

CITY STAFF IN ATTENDANCE:

*Cynthia Raleigh, City Manager
Anne Marie Odefey, City Attorney
Tammy McDonald, Finance Director
Nicole Brown, Executive Assistant
Tobie Bias, Police Chief
Ryan Adams, Code Compliance
Manuel Guevara, Public Works Foreman*

INVOCATION & PLEDGES

Mayor Gardner led the Council, Staff, and Citizens in prayer and pledges to the U.S., Texas, and Palacios Flags.

ANNOUNCEMENTS:

- i. Mayor's Announcements ~*

ii. Councilmember's Announcements~ None

CITIZEN COMMUNICATION FORUM: ~ Public Comments

- Donna Schulman urged Council to vote NO on the last three items on the agenda.
- Dr. Bonnie Benson spoke about her experience with an open records request regarding the wetlands.
- Paul Saustrup asked Council to save the Luther Hotel, avoid empty lots, and refrain from selling too much to one investor.
- Stuart Lynn let Council know that Lynn Construction has closed on 123 lots at Beachside Subdivision.
- Margaret Doughty informed Council on the progress in the movement to save the Luther Hotel.
- Joe Monk to speak at items 13, 17, 18, and 19 on the agenda.

PUBLIC HEARING Annexation for Phase 4, Section 1 of Beachside Subdivision

- The Public is invited to speak regarding the proposed Annexation for Phase 4, Section 1 of the Beachside Subdivision. *Public hearing to be open and closed by Mayor Gardner. No public Comments*

PUBLIC HEARING Zoning Change for Phase 4, Section 1 of the Beachside Subdivision

- The Public is invited to speak regarding the proposed Zoning Change for Phase 4, Section 1 of the Beachside Subdivision. *Public hearing to be open and closed by Mayor Gardner. No public Comments.*

PRESENTATIONS:

- **Presentation of TDA Form A1024 CDBG Section 3 Goals and Concepts as related to the CDBG Program and Grant Contract Number CDM21-0045** Presented by GrantWorks.
- **TIRZ – Golf Course** Presented by D.C. Dunham.

REPORTS AND DISCUSSION

- **City Manager Update** Winter storm, water meters, fire hydrants, smoke test repairs, airport projects, performance indicators, burn site and website, records management, Bethany Park Lift station, and sewer plant blowers. *Presented by City Manager, Cynthia Raleigh.*
- **Bridge Inspection Report** Presented by City Manager, Cynthia Raleigh.
- **Project Update** Presented by Huitt Zollars and Urban Engineering.

DISCUSSION AND ACTION ITEMS:

1. **Minutes** Discuss and approve minutes of the December 15, 2022, regular City Council Meeting. *MOTION MADE BY COUNCILMEMBER WOOLF TO ACCEPT MINUTES WITH AMENDMENT TO ITEM #7 TO REMOVE THE WORD "UNANIMOUSLY". SECONDED BY COUNCILMEMBER LEWIS. PASSED UNANIMOUSLY.*
2. **December Financials and Bills Paid** Discuss and approve the December 2022 financials and bills paid. *Presented by Tammy McDonald and Maria Ayala. MOTION MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER LEWIS. PASSED UNANIMOUSLY.*

3. **First Reading of the following Ordinance No. 2023-O-03:** An Ordinance of the City Council of the City of Palacios, Texas, annexing 9.2475 acres of land located within the Beachside Subdivision as further described herein, into the City’s municipal boundaries, establishing the permanent zoning of the newly annexed territory, and declaring an effective date. *Presented by City Attorney, Anne Marie Odefey. MOTION MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER WOOLF. PASSED UNANIMOUSLY. VOTING AYE: COUNCILMEMBER GLENN; COUNCILMEMBER TRAINOR; COUNCILMEMBER WOOLF; COUNCILMEMBER LEWIS; COUNCILMEMBER SAMORA; MAYOR GARDER. ABSENT: COUNCILMEMBER DOTSON.*
4. **Final Reading of Street Vendor Ordinance No. 2022-O-15** Discuss and approve final reading of Street Vendor Ordinance to-wit: An Ordinance regulating peddlers, solicitors, street vendors and food trucks; providing for codification; fixing a penalty for failure to comply with such ordinance; repealing any conflicting ordinances; and setting an effective date. *Presented by Code Compliance Officer, Ryan Adams. MOTION MADE BY COUNCILMEMBER TRAINOR TO TAKE NO ACTION ON THIS ITEM. SECONDED: COUNCILMEMBER WOOLF. PASSED UNANIMOUSLY.*
5. **Final Reading of Golf Cart Ordinance No. 2022-O-14** Discuss and approve final reading of Golf Cart Ordinance, to-wit: An Ordinance regulating the use of golf carts, neighborhood vehicles, and other types of recreational off-highway vehicles; providing for codification; fixing a penalty for failure to comply with such ordinance; repealing any conflicting ordinances; and setting an effective date. *Presented by Code Compliance Officer, Ryan Adams. MOTION MADE TO ACCEPT FINAL READING COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER SAMORA. MOTION TO AMEND TO REMOVE THE DEFINITION OF DRIVER’S LICENCE COUNCILMEMBER WOOLF. SECONDED: COUNCILMEMBER LEWIS. PASSED UNANIMOUSLY. COUNCILMEMBER WOOLF MADE A MOTION TO DELETE PG 3 ITEM B. SECONDED: COUNCILMEMBER TRAINOR. 5/1 VOTE. VOTING AYE: COUNCILMEMBER GLENN; COUNCILMEMBER TRAINOR; COUNCILMEMBER SAMORA; MAYOR GARDNER. VOTING NAY: COUNCILMEMBER LEWIS. ABSENT: COUNCILMEMBER DOTSON. MOTION MADE BY MAYOR GARDNER TO DELETE 12.11.002 PARAGRAPH C. SECONDED: COUNCILMEMBER WOOLF. MOTION TO AMEND PASSED UNANIMOUSLY. VOTING AYE: COUNCILMEMBER GLENN; COUNCILMEMBER TRAINOR; COUNCILMEMBER WOOLF; COUNCILMEMBER LEWIS; COUNCILMEMBER SAMORA; MAYOR GARDNER. ABSENT: COUNCILMEMBER DOTSON.*
6. **First Reading Ordinance No. 2023-O-01 Reaffirming the establishment of the Palacios Police Department** Discuss and approve the first reading of Ordinance No. 2023-O-01 to-wit: An Ordinance of the city of Palacios, Texas, establishing a police department, requiring all police officers to be licensed, creating the position of chief of police, outlining the duties and responsibilities of the chief of police, and establishing the authority, duties and responsibilities of police officers; providing a savings clause, repealing conflicting ordinances, and providing an effective date. *Presented by Police Chief, Tobie Bias. MOTION TO ACCECPT FIRST READING MADE BY COUNCILMEMBER TRAINOR. SECONDED: COUNCILMEMBER WOOLF. PASSED UNANIMOUSLY. VOTING AYE: COUNCILMEMBER GLENN; COUNCILMEMBER TRAINOR; COUNCILMEMBER WOOLF; COUNCILMEMBER LEWIS; COUNCILMEMBER SAMORA; MAYOR GARDNER. ABSENT: COUNCILMEMBER DOTSON.*
7. **Approval of the City’s Comprehensive Plan** Discuss and approve Comprehensive Plan. *Presented by Mayor Pro Tem, Chip Woolf. MOTION TO ACCEPT BY COUNCILMEMBER LEWIS. SECONDED: COUNCILMEMBER GLENN. PASSED UNANIMOUSLY.*

8. **Code Development Steering Committee** Discuss and approve creating a Code Development Steering Committee for Code Updates. *Presented by City Manager, Cynthia Raleigh. MOTION TO ESTABLISH STEERING COMMITTEE AND ESTABLISH COUNCILMEMBER WOOLF AS CHAIR BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER LEWIS. PASSED UNANIMOUSLY.*
9. **Resolution No. 2023-R- 04 Borderstar Grant Authorization** Discuss and approve Resolution No. 2023-R-04 granting overtime funds for police officers who work the border initiative in the City of Palacios. *Presented by Tammy McDonald. MOTION TO ACCEPT RESOLUTION MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER WOOLF. PASSED UNANIMOUSLY.*
10. **Gradall Repair** Discuss and approve repairs to the Gradall owned by the City of Palacios. *Presented by City Manager, Cynthia Raleigh. MOTION TO ACCEPT REPAIRS TO GRADALL NOT TO EXCEED \$60,000 MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER SAMORA. PASSED UNANIMOUSLY.*
11. **Resolution to Amend Agreement for Professional Services JZJ Construction to wit:** A resolution amending a general services agreement with JZJ Utilities to clarify the amount and the term of the agreement and declaring an effective date. *Presented by City Manager, Cynthia Raleigh. MOTION TO ACCEPT AMENDED AGREEMENT MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER TRAINOR. PASSED UNANIMOUSLY.*
12. **Mini Excavator and Trailer Purchase** Discuss and approve the sale of two older backhoes to purchase a Mini Excavator and Trailer for the Public Works Department. *Presented by City Manager, Cynthia Raleigh. MOTION TO PURCHASE MINI EXCAVATOR AND TRAILER MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER TRAINOR. PASSED UNANIMOUSLY.*
13. **Palacios Water Plant #4 and #6 Repairs and SCADA Upgrade Project** Discuss and approve a project to make necessary repairs at Water Plant #4 and #6 and SCADA upgrade. *Presented by City Manager, Cynthia Raleigh. CITIZEN'S FORUM CONTINUES: Joe Monk speaks his concerns with this project and gives suggestions to Mr. Mercer. MOTION TO HIRE MERCER TO MAKE REPAIRS RECOMMENDED BY MR. MERCER AND CITY MANAGER FOR WELLS 1-5, 7, 9, 11, AND 12 MADE BY COUNCILMEMBER LEWIS. SECONDED: COUNCILMEMBER TRAINOR. PASSED UNANIMOUSLY.*
14. **Bethany Park Street Repair Project** Discuss and approve a project to repair the streets in Bethany Park. *Presented by City Manager, Cynthia Raleigh. MOTION TO ACCEPT REPAIRS MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER SAMORA. PASSED UNANIMOUSLY.*
15. **Election Contract between Matagorda County and the City of Palacios** Discuss and approve election contract for general election services between the Matagorda County Clerk and the City of Palacios. *Presented by City Manager, Cynthia Raleigh. MOTION TO ACCEPT CONTRACT WITH THE COUNTY CLERK'S OFFICE MADE BY COUNCILMEMBER TRAINOR. SECONDED: COUNCILMEMBER GLENN. PASSED UNANIMOUSLY.*
16. **Police Department and Municipal Court Lobby Remodel** Discuss and approve a bid to Mikeska Construction for the remodeling of the Palacios Police Department and Municipal Court lobbies. *Presented by Police Chief, Tobie Bias. MOTION TO ACCEPT REMODEL OF PD AND MUNICIPAL COURT LOBBY MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER SAMORA. PASSED UNANIMOUSLY.*
17. **Resolution No. 2023-R-01** Discuss and approve Resolution No. 2023-R-01 to cause the publishing of the monthly city payments register. *Presented by Councilmember Dotson, Councilmember Trainor, and Councilmember Glenn. CITIZEN'S FORUM CONTINUES: Joe*

Monk speaks about his support of items 17, 18, and 19 on the agenda. MOTION TO TAKE NO ACTION MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER WOOLF. 5/1 VOTE. VOTING AYE: COUNCILMEMBER GLENN; COUNCILMEMBER WOOLF; COUNCILMEMBER LEWIS; COUNCILMEMBER SAMORA; MAYOR GARDNER. VOTING NAY: COUNCILMEMBER TRAINOR. ABSENT: COUNCILMEMBER DOTSON.

18. Resolution No. 2023-R-02 Discuss and approve Resolution No. 2023-R-02 to require an ordinance for grant authority. Presented by Councilmember Dotson, Councilmember Trainor, and Councilmember Glenn. MOTION TO TAKE NO ACTION MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER LEWIS. 5/1 VOTE. VOTING AYE: COUNCILMEMBER GLENN; COUNCILMEMBER WOOLF; COUNCILMEMBER LEWIS; COUNCILMEMBER SAMORA; MAYOR GARDNER. VOTING NAY: COUNCILMEMBER TRAINOR. ABSENT: COUNCILMEMBER DOTSON.

19. Resolution No. 2023-R-03 Discuss and approve Resolution No. 2023-R-03 to limit spending authority in the City. Presented by Councilmember Dotson, Councilmember Trainor, and Councilmember Glenn. MOTION TO TAKE NO ACTION MADE BY COUNCILMEMBER GLENN. SECONDED: COUNCILMEMBER LEWIS. 5/1 VOTE. VOTING AYE: COUNCILMEMBER GLENN; COUNCILMEMBER WOOLF; COUNCILMEMBER LEWIS; COUNCILMEMBER SAMORA; MAYOR GARDNER. VOTING NAY: COUNCILMEMBER TRAINOR. ABSENT: COUNCILMEMBER DOTSON.

ADJOURNMENT

Meeting Adjourned by Mayor Gardner at 10:48PM.


Jim Gardner, MAYOR

ATTEST:


Aleigha Galvan, CITY SECRETARY

